

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

NETSCAPE COMMUNICATIONS CORP., )  
  )  
  )  
Plaintiff, )  
  )  
  ) Case No. 1:09-cv-225-TSE-TRJ  
v. )  
  )  
  )  
  )  
VALUECLICK, INC., MEDIAPLEX, INC., )  
FASTCLICK, INC., COMMISSION )  
JUNCTION, INC., MEZIMEDIA, INC., and )  
WEB CLIENTS, L.L.C., )  
  )  
  )  
Defendants. )

**DEFENDANTS VALUECLICK, INC. AND FASTCLICK, INC.'S MOTION TO  
COMPEL THE PRODUCTION OF A DOCUMENT FROM NETSCAPE  
COMMUNICATIONS CORP., PURSUANT TO FED. R. CIV. P. 37(a)**

In accordance with Federal Rule of Civil Procedure 37(a), and for the reasons more fully set forth in accompanying memorandum, the Defendants, ValueClick, Inc., and FastClick, Inc., by counsel, respectfully request that the Court enter an order compelling plaintiff Netscape Communications Corp. to produce a document identified as document 1865 on Netscape's privilege log submitted in this action.

Bryan Cave, LLP, as counsel to ValueClick, Inc. and FastClick, Inc., certifies that it conferred, or attempted to confer, in good faith with Netscape's Counsel in an effort to obtain the disclosure requested in the present motion without court action.

Dated: July 2, 2009

Respectfully submitted,

/s/  
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Counsel for Defendants

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Motion to Compel was served this 2<sup>nd</sup> day of July, 2009 via electronic filing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following e-mail address:

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